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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

Jeremy Brown,

Charging Party,

and

National Association of Broadcast Employees  
and Technicians - The Broadcasting and Cable  
Television Workers Sector of the  
Communications Workers of America, AFL-  
CIO, Local 51,

Respondent.

Nos. 19-CB-244528 and 19-CB-247119

**RESPONDENT'S REPLY IN SUPPORT  
OF CROSS-EXCEPTIONS**

Respondent, National Association of Broadcast Employees and Technicians, the Broadcasting and Cable Television Workers Sector of the Communications Workers of America, Local 51, AFL-CIO ("Union" or "Local 51") submits this Reply in response to Charging Party's Response to Respondent's [Cross-]Exceptions ("Charging Party's Response").

With respect to Respondent's Cross-Exception 1, the issue has already been thoroughly briefed in Respondent's Brief in Support of Cross-Exceptions, and there is no need to repeat those arguments here.

With respect to Respondent's Cross-Exceptions 2 and 3, Charging Party's Response mischaracterizes which proposed remedies the Cross-Exceptions address. Charging Party's Response is only concerned with the individual proposed remedies to provide Charging Party, Jeremy Brown, with an accounting and reimbursement of the difference between full dues he has paid and objector's fair-share fees. Those individual proposed remedies for Mr. Brown are in sections 2(a) and 2(b) of the proposed Order, and Respondent has not directed any cross-exceptions at those remedies if the Board finds Respondent violated the Act.

Rather, Respondent's Cross-Exception 2 is directed at section 1(b) of the proposed order -- which would require Respondent, the Local Union, to administer certain procedures in future that it does not presently administer, because those procedures are administered by CWA, which is not a Respondent in this matter; and Cross-Exception 3 is directed at the corresponding paragraph of the Appendix which would mislead recipients to believe that Respondent, the Local Union (as opposed to CWA) administers those procedures -- calculating chargeable amounts, providing the detailed and independently verified apportionment information, and the challenge procedure. These provisions of the proposed order and Appendix would require Respondent to make changes in how Respondent and CWA administer the objections process going forward, in ways that are not necessary based upon the theory of the Complaint.

If the Board finds a violation of the Act under the theory of the Complaint, the only necessary change in the Local Union's procedure going forward would be notifying any would-be objectors who misdirect their objections to the Local Union of the misdirection, and re-advising them of the correct place and manner to file their objections with CWA. Section 1(a) of the proposed order covers ordering Respondent how to respond to any misdirected would-be objections going forward. Respondent has not directed a cross-exception at section 1(a) of the proposed order, in the event that the Board finds Respondent violated the Act.

With respect to those provisions of the proposed Order and Appendix that are actually addressed in Respondent's Cross-Exceptions 2 and 3, Charging Party has not offered any argument that those provisions should be ordered in the event the Board finds Respondent

violated the Act. Instead, Charging Party's Response is concerned only with the individual remedies for himself; so Charging Party's Response is irrelevant to Cross-Exceptions 2 and 3.

Dated: March 1, 2021

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation



By: ANNE I. YEN

Attorneys for Respondent, NABET-CWA Local 51

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**PROOF OF SERVICE**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On March 1, 2021, I served the following documents in the manner described below:

**RESPONDENT'S REPLY IN SUPPORT OF CROSS-EXCEPTIONS**

- ☒ **BY ELECTRONIC SERVICE** By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from lgutierrez@unioncounsel.net to the email addresses set forth above.

On the following part(ies) in this action:

Mr. Ronald K. Hooks  
National Labor Relations Board, Region 19  
Regional Director  
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Seattle, WA 98174-1078  
Email: [Ronald.hooks@nrlb.gov](mailto:Ronald.hooks@nrlb.gov)

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 1, 2021, at Oakley, California.

Linda Gutierrez  
Linda Gutierrez